

**FILED**

April 26, 2021

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS



BY: lad DEPUTY

הנהלת בתי המשפט  
ادارة المحاكم  
COURTS ADMINISTRATION

Legal Assistance to Foreign Countries

המחלקה לסייע לממשלה זרות

07.04.2021  
4700-1013-2021-000978

*The undersigned authority, upon authorization from the Director of Courts, has the honor to certify, that the documents annexed hereto is a certificate issued by Nazareth Magistrate Court, under the Legal Assistance to Foreign State Regulations, 5759-1999, and that the signature appearing thereon is the signature of the Honorable Judge Doron Porat of the said court.*

*Done in Jerusalem,  
The Signature and/or stamp  
Barak Laser (Mr.), Advocate*

*The Legal Adviser to the Administration of Courts*

Magistrate Court File: 35287-02-21  
Directorate of Courts File: 51-2-21  
Your Reference: Case No. 6:20-cv-00479-ADA



הנהלת בתי המשפט  
ادارة المحاكم  
COURTS ADMINISTRATION

Legal Assistance to Foreign Countries

המחלקה לסייע למדינות זרות

Date: April 7, 2021

File: 51-2/21

Court Reference: 35287-02-21

4700-1013-2021-000979

**To:**

**The Honorable Judge Alan D Albright, District Judge**

**United States District Court for the Western District of Texas, Waco Division**

**800 Franklin Avenue Room 301**

**Waco, Texas 76701**

**USA**

Dear Sir/Madam,

**Subject: Your request for Legal Assistance**

***in the matter of: Dany Raz***

***Your Reference: Case No. 6:20-cv-00479-ADA***

This is to inform you that the Israeli Court has fulfilled your request for legal assistance, the findings of the court are attached to this letter.

Kindly acknowledge your reception of the documents to:  
[foreign.countries@court.gov.il](mailto:foreign.countries@court.gov.il)

Sincerely,

Shiri Perelmutter  
Legal Assistance to Foreign Countries  
Jerusalem, Israel

Administration of Courts  
Legal Assistance to Foreign Countries  
22 Kanfei Nesharim St., Jerusalem 95464, Israel  
Tel: 02-6556219, Fax: 02-6556837

**16<sup>th</sup> Nissan 5781, 29.3.2021**  
**5<sup>th</sup> request in file 35287-02-21**  
**Doron Porat, Judge**

**Decision**

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The court has received the affidavit of the respondent and there is no need to hear his testimony.

The Court Secretariat will cancel the summons sent to respondent 1, asking him to appear before the court.

The Court Secretariat will transfer this decision to the department of legal aid to foreign countries at the Courts administration.

The Court Secretariat will close the file.

No order as to costs.

\*\*\* Signed digitally \*\*\*

25.3.2021

<p><b>35287-02-21</b> <b>בפני כבוד הנשיה דורון פורת</b></p> <p><b>ההחלטה</b></p> <p>ט"ז ניסן תשפ"א, 29/03/2021 בקשה 5 בתיק 35287-02-21 שו' דורון פורת</p> <p>בית המשפט רשם בפניו את הצהרתו של המוביל, ובכך מתייתר הצורך בשמייעת עדותו.</p> <p>מציאות בית המשפט תבטל את הזמנת המוביל מס' 1 לעדות.</p> <p>מציאות בית המשפט תעביר את ההחלטה להנחלת בגין מחלוקת לסייע למיניות זרות.</p> <p>מציאות בית המשפט תסגור את התיק.</p> <p>אין צע להוצאות.</p> <p>הט הט הט הט</p> <p>*** נחתם דיגיטלי ***</p>	<p><b>גבייה המשפט השלום</b> <b>בגדרת</b></p> <p><b>בעניין:</b></p> <p><b>DELL TECHNOLOGIES INC.</b> <b>DELL INC.</b> <b>EMC CORPORATION</b> על-ידי בכ"כ עוזי גרבויBNIMIN OMEMSHRD GOLDFARB ZLIGMEN SHOTI מרחוב YIGAL ALON 98, TEL AVIV 6789141 טלפון : 03-6089829 ; פקסימיליה : 03-6089138</p> <p><b>ובעניין:</b></p> <p>הרשות השיפוטית אורה"ב פרופ' דני רז מספר פניות דומות שהוגשו: 0</p> <p><b>פניה דוחפה</b> לבייטול דיון</p>
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### ולמ长时间 tokuf של פסק דין להסכמות מבקשי העיון והוביל 1

בית המשפט הנכבד מתבקש ליתן tokuf של פסק דין להסכמות מבקשי העיון והוביל 1 ("הצדדים") ובתוכו כך לבטל את דיון הליך גביה העדות הקבוע ליום 4.4.2021, מהטעמים הבאים:

#### ואלו נימוקי הבקשה:

1. ביום 25.3.2021 הצדדים הגיעו להסכמות לפיהן חתמו של פרופ' דני רז על ההצהרה המצורפת כנספח 1 לפניה זו, מקיימת את המבוקש של מבקשי העיון כמפורט בבקשת המבוקשת 1 לחיקור דין מושא הליכים אלו.
2. העתק ההצהרה חתומה מיום 25.3.2021 מצורף כנספח 1.
3. בנסיבות אלו, הליך גביה העדות מפורפי רז מתייתר ולכן מתבקש בית המשפט הנכבד ליתן tokuf של פסק דין להסכמות הצדדים למחוק את ההליך ללא צע להוצאות.
4. בהתאם לזאת, מתבקש בית המשפט הנכבד לבטל את הדיון הקבוע ליום 4.4.2021.
5. בקשה זו מוגשת בהסכמת המוביל 1.

ג'רמי בנימין, עו"ד  
בא-כוח מבקשי העיון

1 1901

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

WSOU INVESTMENTS, LLC d/b/a  
BRAZOS LICENSING AND  
DEVELOPMENT,

Plaintiff,

v.

DELL TECHNOLOGIES INC., DELL  
INC.. AND EMC CORPORATION.

Defendants.

Case No. 6:20-cv-00479-ADA

**JURY TRIAL DEMANDED**

**DECLARATION OF DANNY RAZ REGARDING LETTER OF REQUEST**

I, Danny Raz, declare as follows:

1. I have personal knowledge of the matters stated below and, if called, would testify to them under oath.
2. I am a named inventor of U.S. Patent No. 8,402,129 ("129 Patent"). The '129 patent was filed on March 21, 2001 and issued on March 19, 2013.
3. I have reviewed the Letter of Request filed with the Magistrates' Court of Nazareth Israel (attached hereto as **Appendix A**). I do not have any documents that are responsive to any of the document requests recited in Appendix A, Ex. A1. I also do not have any recollection of any facts related to the topics mentioned in Appendix A, Ex. A2.
4. I do not have any relevant testimony or facts relating to the '129 patent or the above-captioned proceeding in the United States District Court for the Western District of Texas, with case number 6:20-cv-00479-ADA. As a result, I do not intend to appear for trial or otherwise participate in the above-captioned proceeding.
5. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: March 25, 2021

  
\_\_\_\_\_  
/s/  
Danny Raz

Case 6:20-cv-00479-ADA Document 59 Filed 11/09/20 Page 1 of 9

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

**WSOU INVESTMENTS, LLC d/b/a BRAZOS  
LICENSING AND DEVELOPMENT,**

**Plaintiff,**

**v.**

**DELL TECHNOLOGIES INC., DELL INC.,  
AND EMC CORPORATION,**

**Defendants.**

**Case No. 6:20-cv-00479-ADA**

**JURY TRIAL DEMANDED**

**LETTER OF REQUEST: REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE  
PURSUANT TO THE HAGUE CONVENTION OF 18 MARCH 1970 ON THE TAKING  
OF EVIDENCE ABROAD IN CIVIL OR COMMERCIAL MATTERS**

**GREETINGS:**

1. Sender	The Honorable Judge Alan D Albright, District Judge United States District Court for the Western District of Texas, Waco Division 800 Franklin Avenue Room 301 Waco, Texas 76701 USA
2. Central Authority of the Requested State	Administration of Courts Legal Assistance to Foreign Countries 22 Kanfei Nesharin St. Jerusalem 9546435 Israel Email: Mishpatit@court.gov.il Foreign.Countries@court.gov.il
3. Person to whom the executed request is to be returned	This Court; representatives of the parties as indicated below; the witnesses from whom evidence is requested as indicated below; such other person(s) that you deem proper; and Defendants' representative in Israel:  <b>Jeremy Benjamin Goldfarb Seligman &amp; Co.</b>

Case 6:20-cv-00479-ADA Document 59 Filed 11/09/20 Page 2 of 9

	Ampa Tower 98 Yigal Alon Street Tel Aviv 6789141 Israel Tel: +972 (3) 608-9803   Fax: +972 (3) 608-9911 Email: jeremy.benjamin@goldfarb.com
4. Specification of the date by which the requesting authority requires receipt of the response to the Letter of Request	June 1, 2021

In conformity with Article 3 of the Hague Convention on the Taking of Evidence Abroad in Civil or Commercial Matters ("Hague Convention"), Federal Rule of Civil Procedure 28(b), and 28 U.S.C.A. 1781(b), the undersigned authority respectfully has the honor to submit the following request:

5. a. Requesting Judicial Authority (Article 3, a)	The Honorable Judge Alan D Albright, District Judge United States District Court for the Western District of Texas, Waco Division 800 Franklin Avenue Room 301 Waco, Texas 76701 USA
b. To the competent Authority of (Article 3, a)	Israel
c. Names of the case and any identifying number	<i>WSOU Investments LLC v. Dell Technologies Inc.</i> Case No. 6:20-cv-00479-ADA, United States District Court for the Western District of Texas
6. Names and addresses of the parties and their representative (including representatives in the requested State) (Article 3, b)	
a. Plaintiffs	WSOU Investments LLC

Case 6:20-cv-00479-ADA Document 59 Filed 11/09/20 Page 3 of 9

<b>Representatives</b>	<p><b>WSOU is represented by:</b></p> <p><b>Brett Aaron Mangrum</b>  <b>Etheridge Law Group</b>  <b>2600 East Southlake Blvd., Suite 120-324</b>  <b>Southlake, TX 76092</b>  <b>469-401-2659</b>  <b>Fax: 817-887-5950</b>  <b>Email: brett@etheridgelaw.com</b></p> <p><b>Jeffrey Huang</b>  <b>Etheridge Law Group PLLC</b>  <b>2600 East Southlake Blvd</b>  <b>Suite 120-324</b>  <b>Southlake, TX 76092</b>  <b>408-797-9059</b>  <b>Fax: 817-887-5950</b>  <b>Email: jhuang@etheridgelaw.com</b></p> <p><b>Ryan Scott Loveless</b>  <b>Etheridge Law Group PLLC</b>  <b>2600 E Southlake Blvd</b>  <b>Suite 120-324</b>  <b>Southlake, TX 76092</b>  <b>972-292-8303</b>  <b>Fax: 817-887-5950</b>  <b>Email: ryan@etheridgelaw.com</b></p> <p><b>James L. Etheridge</b>  <b>Etheridge Law Group, PLLC</b>  <b>2600 E. Southlake Blvd., Suite 120-324</b>  <b>Southlake, TX 76092</b>  <b>817-470-7249</b>  <b>Fax: 817-887-5950</b>  <b>Email: jim@etheridgelaw.com</b></p>
<b>b. Defendants</b>	Dell Technologies Inc., Dell Inc., and EMC Corporation (collectively "Defendants")
<b>Representatives</b>	<p>Dell Technologies Inc., Dell Inc., and EMC Corporation are represented by:</p> <p>Shelton Coburn LLP:</p>

Case 6:20-cv-00479-ADA Document 59 Filed 11/09/20 Page 4 of 9

**Barry K. Shelton**  
Shelton Coburn LLP  
311 RR 620 S  
Suite 205  
Austin, TX 78734-4775  
512-263-2165  
Fax: 512-263-2166  
Email: [bshelton@sheltoncoburn.com](mailto:bshelton@sheltoncoburn.com)

**Gibson, Dunn & Crutcher LLP:**

**Benjamin Hershkowitz**  
**Brian A. Rosenthal**  
**Allen Kathir**  
**Kyanna Sabanoglu**  
GIBSON, DUNN & CRUTCHER LLP  
200 Park Avenue  
New York, NY 20036-5306  
Telephone: (212) 351-2410  
Email: [BHershkowitz@gibsondunn.com](mailto:BHershkowitz@gibsondunn.com)  
[BRosenthal@gibsondunn.com](mailto:BRosenthal@gibsondunn.com)  
[AKathir@gibsondunn.com](mailto:AKathir@gibsondunn.com)  
[KSabanoglu@gibsondunn.com](mailto:KSabanoglu@gibsondunn.com)

**Y. Ernest Hsin**  
**Jaysen S. Chung**  
GIBSON, DUNN & CRUTCHER LLP  
555 Mission St., Ste. 3000  
San Francisco, CA 94105-0921  
Telephone: (415) 393-8200  
Email: [EHSin@gibsondunn.com](mailto:EHSin@gibsondunn.com)  
[JSChung@gibsondunn.com](mailto:JSChung@gibsondunn.com)

**Ryan K. Iwahashi**  
GIBSON, DUNN & CRUTCHER LLP  
1881 Page Mill Rd.  
Palo Alto, CA 94304-1211  
Telephone: (650) 849-5300  
Email: [RIwahashi@gibsondunn.com](mailto:RIwahashi@gibsondunn.com)

The Defendant has appointed legal counsel in Israel to pursue and assist with the commission to take evidence. The details of the Defendant's legal counsel in Israel are:

**Jeremy Benjamin**

Case 6:20-cv-00479-ADA Document 59 Filed 11/09/20 Page 5 of 9

	<p><b>Goldfarb Seligman &amp; Co.</b>  <b>Ampa Tower</b>  <b>98 Yigal Alon Street</b>  <b>Tel Aviv 6789141</b>  <b>Israel</b>  <b>Tel: +972 (3) 608-9803   Fax: +972 (3) 608-9911</b>  <b>Email: jeremy.benjamin@goldfarb.com</b></p>
c. Other parties	N/A
Representatives	N/A
7. a. Nature of the proceedings (divorce, paternity, breach of contract, product liability, etc.) (Article 3, c)	Civil action alleging patent infringement under the patent laws of the United States.
b. Summary of complaint	Discovery sought in this Letter of Request is relevant in Case No. 6:20-cv-00479-ADA: In WSOU's complaint against Defendants, WSOU alleges that Defendants infringe U.S. Patent No. 8,402,129 ("the '129 patent").
c. Summary of defense and counterclaim	<p>In defense against WSOU's claims of patent infringement of the '129 patent, Defendants assert, inter alia, that they do not infringe any of claims of the '129 patent and that the '129 patent is invalid.</p> <p>Danny Raz has knowledge relevant to Defendants' defenses. Danny Raz is relevant to the action by virtue of being an inventor of the '129 patent. Danny Raz holds critical facts to this case, including facts relevant to a number of defenses raised by Defendants and any potential damages, including information related to the prosecution of the '129 patent; prior uses and/or sales or products and services incorporating the '129 patent, publications related to the concepts claimed in the '129 patent; commercialization, production and/or commercial embodiments related to the '129 patent; the state of the art at the time of the alleged invention and/or filing of the applications related to the '129 patent; the ownership and financial interests in the '129</p>

Case 6:20-cv-00479-ADA Document 59 Filed 11/09/20 Page 6 of 9

	patent; conception, diligence and/or reduction to practice of the concepts claimed in the '129 patent; and the disclosure of the claimed invention of the asserted patent. As well as licensing of and/or agreements covering the '129 patent. And, financial knowledge including valuation and royalties associated with the '129 patent or any license and/or agreement covering the '129 patent; and other financial interests (including revenue, costs, expenses and profits) as well as financial interests and information related to the '129 patent.
d. Other necessary information or documents	Danny Raz's current address is: Department of Computer Science CS Taub Building Technion Israel Institute of Technology, Haifa 3200003 Israel
8. a. Evidence to be obtained or other judicial act to be performed (Article 3d),	In order to present its defenses that the '129 patent is not infringed, invalid, and unenforceable and to determine any alleged damages, Defendants seek certain documents from Danny Raz. Attached as Exhibit A1 is a request of production of certain documents that Defendants believe are likely to be in the possession, custody, or control of Danny Raz.  To further clarify the evidence sought, attached as Exhibit A2 is an outline of the topics and issues about which counsel for Defendants intend to inquire of Danny Raz.
b. Purpose of the evidence or judicial act sought	With respect to the '129 patent, Danny Raz has information and knowledge relating to the prosecution of the '129 patent; prior uses and/or sales or products and services incorporating the '129 patent; publications related to the concepts claimed in the '129 patent; commercialization, production and/or commercial embodiments related to the '129 patent; the state of the art at the time of the alleged invention and/or filing of the applications related to the '129 patent; the ownership and financial interests in the '129 patent; conception, diligence and/or reduction to practice of the concepts claimed in the '129 patent;

Case 6:20-cv-00479-ADA Document 59 Filed 11/09/20 Page 7 of 9

	<p>and the disclosure of the claimed invention of the asserted patent. As well as licensing of and/or agreements covering the '129 patent. And, financial knowledge including valuation and royalties associated with the '129 patent or any license and/or agreement covering the '129 patent; and other financial interests (including revenue, costs, expenses and profits) as well as financial interests and information related to the '129 patent.</p> <p>This evidence is directly relevant to Defendants' claims that the '129 patent is not infringed, invalid, and unenforceable and to determine any alleged damages under United States patent law.</p>
9. Identity and address of any person to be examined (Article 3, e)	<p>Danny Raz            Department of Computer Science            CS Taub Building            Technion Israel Institute of Technology,            Haifa 3200003            Israel</p>
10. Questions to be put to the persons to be examined or statement of the subject matter about which they are to be examined (Article 3, f)	<i>See Exhibit A2</i>
11. Documents or other property to be inspected (Article 3, g)	<i>See Exhibit A1</i>
12. Any requirement that the evidence be given on oath or affirmation and any special form to be used (Article 3, h)	We respectfully request that the testimony be taken under oath.
13. Special methods or procedure to be followed (e.g. oral or in writing, verbatim, transcript or summary, cross-examination, etc.) (Article 3, i) and 9)	<p>This Court respectfully requests that Danny Raz be directed to produce the documents identified in attached Exhibit A1.</p> <p>This Court respectfully requests that the Central Authority direct the witness to appear on or before</p>

	<p>June 1, 2021.</p> <p>This Court respectfully requests that attorneys of the Defendant be permitted to examine and cross-examine the witness, and that the witness be directed to answer such questions, relating to matters outlined in attached Exhibit A2.</p> <p>This Court respectfully requests that the examination be permitted to be conducted in accordance with the Federal Rules of Evidence and the Federal Rules of Civil Procedure to prevail in the event of a conflict.</p> <p>This Court respectfully requests that the examination be (partially) conducted via video conference to allow U.S. counsel to join the hearing.</p> <p>This Court respectfully requests that the testimony be video recorded and also transcribed verbatim.</p> <p>This Court respectfully requests that the testimony be taken in English language if the examined person(s) agree, and that, if need be, simultaneous translation be provided.</p> <p>Costs incurred in relation to the deposition examination (court reporter, video recorder, simultaneous translation) shall be at Defendants' expense.</p>
14. Request for notification of the time and place for the execution of the Request and identity and address of any person to be notified (Article 7)	This Court respectfully requests that you notify this Court; the representatives of the parties as indicated above; the witness from whom evidence is requested as indicated above; and such other person(s) that you deem proper.
15. Request for attendance or participation of judicial personnel of the requesting authority at the execution of the Letter of Request (Article 8)	No judicial personnel of the requesting authority will attend or participate.
16. Specification of privilege or duty to refuse to give evidence	Defendants believe that Danny Raz does not benefit from any privilege, and does not endorse the assertion of any such privilege or duty.

Case 6:20-cv-00479-ADA Document 59 Filed 11/09/20 Page 9 of 9

under the law of the State of origin (Article 11, b)	
17. The fees and costs incurred will be borne by	Defendants will bear the reimbursable costs associated with this request in accordance with the provisions of the Hague Convention.

So ORDERED and SIGNED this 9 day of November, 2020.

  
The Honorable Alan D Albright  
U.S. District Court Judge

gov  
www.gov.ll

# הַלְאָה לְשֹׁמֶן עֲדִיבָת יִשְׂרָאֵל

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**הנלהו**  
**כח - חמץטוו**  
וועו, קאָפַט  
וְשִׁים-  
5564-  
02-65556821

10:  
The Honorable Judge Alan D Albright

District Judge

District court for the western  
District of Texas, Waco Division  
800 Franklin Avenue Room 301  
Waco, Texas 76701

454

**קַיִם אָשָׁר כְּחַדֶּשׁ מִסְרָה לְעֵבֶד כָּל־עַמָּךְ תַּהֲלֵל לְבָנֶיךָ בְּנֵי־הָדָרָא.**